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July 24, 2008

Honorable John G. Koeltl
United States District Judge
United States Courthouse
500 Pearl Street
New York, New York 10007

Re: United States v. Felix Cruz
07 Cr. 997 (JGK)

Dear Judge Koeltl:

I write to inform the Court that I will not be in New York on August 19, 2008, the trial date previously set for this case. On the date of my appointment, I was unaware that a trial date had been set or would have informed the Court of my unavailability. I have met twice with Mr. Cruz since last week's status conference and discussed my unavailability with him. Although he had not yet determined whether he wishes to have me represent him or whether he wishes to proceed *pro se*, he understands that the trial date would need to be changed in order for me to be present and has not expressed any opposition to changing the trial date.

On behalf of the government, AUSA Christian Everdell consents to a change of trial date.

Very truly yours,

/s/ Bobbi C. Sternheim

BOBBI C. STERNHEIM

cc: AUSA Christian Everdell